

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE CHAVEZ-RIVAS,

Defendant.

Case No. 17-CR-115-JPS

ORDER

On June 20, 2017, the grand jury returned a one-count Indictment against Defendant, charging him with illegally entering the country after deportation, in violation of 8 U.S.C. §§ 1326(a) and (b)(2). (Docket #7). On August 21, 2017, the parties filed a plea agreement indicating that the defendant agreed to plead guilty to the Indictment. (Docket #15).

The parties appeared before Magistrate Judge David E. Jones on September 8, 2017 to conduct a plea colloquy pursuant to Federal Rule of Criminal Procedure 11. (Docket #17). Defendant entered a plea of guilty as to Count One of the Indictment. *Id.* After cautioning and examining Defendant under oath concerning each of the subjects mentioned in Rule 11, Magistrate Jones determined that the guilty plea was knowing and voluntary, and that the offense charged was supported by an independent factual basis containing each of the essential elements of the offense. (Docket #18 at 1-2).

On September 11, 2017, Magistrate Jones filed a Report and Recommendation with this Court, recommending that: (1) Defendant's plea of guilty be accepted; (2) a presentence investigation report be prepared;

and (3) Defendant be adjudicated guilty and have a sentence imposed accordingly. *Id.* at 2. Pursuant to General Local Rule 72(c), 28 U.S.C. § 636(b)(1)(B), and Federal Rule of Criminal Procedure 59(b), the parties were advised that written objections to that recommendation, or any part thereof, could be filed within fourteen days of the date of service of the recommendation. (Docket #18 at 3). To date, no party has filed such an objection. The Court has considered Magistrate Jones' recommendation and, having received no objection thereto, will adopt it.

Accordingly,

IT IS ORDERED that Magistrate Judge David E. Jones' Report and Recommendation (Docket #18) be and the same is hereby **ADOPTED**.

Dated at Milwaukee, Wisconsin, this 10th day of October, 2017.

BY THE COURT:

J. P. Stadtmueller
U.S. District Judge